

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 18 1980

Returned to applicant for correction NOV 19 1980

Corrected application filed DEC 17 1980 Map filed APR 23 1981 under 42112

The applicant Kennecott Corporation

of McGill  
Street and No. or P.O. Box No. City or Town

Nevada 89318 hereby make application for permission to change the  
State and Zip Code No.

point of diversion and manner of use.

of water heretofore appropriated under Certificate Record No. 143 - Book 3, Page 143,  
and Application No. 2146.

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Timber Creek, a tributary of Duck Creek  
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 4 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Industrial and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for Power, Milling, Metallurgical and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 26, T.18N., R.65E.,  
M.D.B.&M., or at a point from which the N $\frac{1}{4}$  Corner of Sec. 28,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be  
T.18N., R.65E., M.D.B.&M. bears N. 79 $^{\circ}$ 43'29"W., 8,969.02 ft. distance.  
stated. Unsurveyed public land.

6. The existing point of diversion is located within the NW $\frac{1}{4}$  of Sec. 26, T.18N., R.65E.,  
M.D.B.&M.  
If point of diversion is not changed, do not answer.

7. Proposed place of use Unchanged  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Portions of each of the following land parcels:  
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.  
NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$ , of Sec. 28, T.18N., R.64E., M.D.B.&M.; and  
ALSO the SE $\frac{1}{4}$  of Sec. 21, T.18N., R.64E., M.D.B.&M.

9. Use will be from 1 January to 31 December of each year.  
Month and Day Month and Day

10. Use has been from 1 January to 31 December of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) The water is diverted by a concrete  
State manner in which water is to be diverted, whether by dam or other works,  
intake head box into a 10" steel pipe, and is transferred to Pat &  
whether through pipes, ditches, flumes, or other conduits.  
Mike Creek, at a point from which the NW corner of Sec. 31, T.18N.,  
R.65E., M.D.B.&M. bears S.78 02'05"W., 6,319.36 ft. distance, thence  
into Duck Creek and Gallagher Gap pipeline to the place of use.

- 12. Estimated cost of works..... N/A
- 13. Estimated time required to construct works..... N/A
- 14. Estimated time required to complete the application of water to beneficial use..... N/A
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is filed to record the survey tie from the current point of diversion to a section quarter-corner. This water will be used as heretofore appropriated, but to simplify the application it is changed to Industrial and Domestic use.

Compared.....ha/bl.....br/ja.....  
 s/G. J. Allen  
 G. J. Allen  
 General Manager

Nevada Mines Division  
 Kennecott Minerals Company  
 Applicant A. Division of Kennecott Corporation

By.....s/Richard E. Fonger.....  
 State Water Right Surveyor  
 Kennecott Minerals Company  
 McGill, Nevada 89318

APPROVAL OF STATE ENGINEER

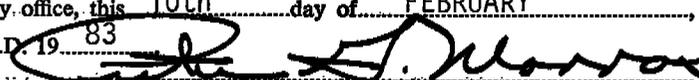
This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and manner of use of the waters of Timber Creek as heretofore granted under Permit 2146, Certificate 143, is issued subject to the terms and conditions imposed in said Permit 2146, Certificate 143, and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 4.0 .....cubic feet per second.....

- Actual construction work shall begin on or before..... N/A
- Proof of commencement of work shall be filed before..... N/A
- Work must be prosecuted with reasonable diligence and be completed on or before..... February 10, 1984
- Proof of completion of work shall be filed before..... March 10, 1984
- Application of water to beneficial use shall be made on or before..... February 10, 1986
- Proof of the application of water to beneficial use shall be filed on or before..... March 10, 1986
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS  
 Completion of work filed... OCT 28 1983  
 Proof of beneficial use filed... FEB 3 1986  
 Cultural map filed.....  
 Certificate No. 12176 Issued JUN 21 1989

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of FEBRUARY  
 A.D. 19 83  
  
 State Engineer